

DATE ISSUED: March 16, 2001

REPORT NO. 01-053

ATTENTION: Public Safety and Neighborhood Services Committee  
Agenda of March 21, 2001

SUBJECT: Civic Theater Accessibility and ADA Compliance

### SUMMARY

Issues- 1) Should the City Council direct the City Manager and the Convention Center Corporation staff to continue working with Equal Access and the Concourse renovation Architect to finalize proposed solutions, corrective actions and associated costs related to accessibility issues at the Concourse? 2) Should the City Council direct the City Manager and the Convention Center Corporation staff to return within thirty to forty-five days with a detailed analysis of the proposal? 3) Should the City Council direct the City Manager and the Convention Center Corporation staff to obtain feedback from the Citizen's Review Committee (CRC) on the proposal?

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Recommendations- 1) Direct the City Manager and Convention Center Corporation staff to continue working with Equal Access and the Concourse renovation Architect to finalize proposed solutions, corrective actions and associated costs related to accessibility issues at the concourse. 2) Direct the City Manager and the Convention Center Corporation staff to return within thirty to forty-five days with a detailed analysis of the proposal. 3) Direct the City Manager and Convention Center Corporation staff to obtain feedback from the Citizens Review Committee (CRC) on the proposal.

Other Recommendations- None.

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Fiscal Impact- None with this action, however, the proposed solutions and/or corrective actions will have a fiscal impact that will be discussed when brought before City Council.

### BACKGROUND

During the public comment portion of the December 5, 2000 City Council meeting, Mr. Peter Mirche raised concerns regarding the San Diego Civic Theater's Compliance with the Americans with Disabilities Act with regard to disbursement of wheelchair seating. At that time, Mayor Murphy requested the City Manager to identify interim alternatives that would provide adequate seating for people with disabilities and bring the item to Rules Committee for discussion in January. On December 14, 2000 the Manager requested the Civic Center Concourse Director to prepare a City Manager's Report to Rules Committee that provided an assessment of the situation in time for the January 24, 2001 Rules Committee meeting. The item was subsequently rescheduled for the February 7, 2000 Committee meeting. Attachment 1 is the written response from the President & CEO of the San Diego Convention Center Corporation.

### DISCUSSION

The City's Disability Service Coordinator has had several discussions with Convention Center

Corporation staff regarding the issues raised by Mr. Mirche and agreed that modifications for all disabilities would be necessary in consideration of meeting legal requirements.

The City's federally mandated Transition Plan, adopted by Council in 1997, and the 1998 agreement between the City and the Convention Center Corporation, holds the City financially responsible for ADA compliance of the theater until planned renovations by the Convention Center Corporation begin. An additional thirty to forty-five days will provide the necessary time to identify costs, obtain CRC input and analyze options for City Council consideration. It is therefore requested that staff be granted the additional time necessary to appropriately respond to Council and Community goals and expectations.

ALTERNATIVE(S): None.

Respectfully submitted,		
Linda Woodbury Disability Services Coordinator Community and Economic Development		Concur: Debra Fischle-Faulk, Community Services Deputy Director
Approved: Hank Cunningham, Director Community and Economic Development		Approved: Bruce A. Herring Deputy City Manager

HERRING/LJW

Note: The attachment is not available in electronic format. A copy is available for review in the Office of the City Clerk.

Attachment: Memorandum dated February 2, 2001 from Carol Wallace, San Diego Convention Center Corporation President & CEO